## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Serial No.

Filing Date:

Group Art Unit:

Examiner:

Title:



SHAHID CHAUDRY, ET AL.

10/789,435

February 27, 2004

2663

Not yet assigned

METHOD AND SYSTEM FOR WIRELESS CHANNEL SELECTION BY A MOBILE DEVICE

MS Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### Certification Under 37 C.F.R. 1.8

Date of Mailing: July 14, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the above identified date.

Diane Taylor

# RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 19, 2004, Applicant hereby submits the following:

1) An executed Declaration and Power of Attorney;

The Commissioner is hereby authorized to charge the statutory basic filing fee of \$770, and the late filing fee surcharge set forth in 37 CFR 1.16(e) of \$130 to Scheef & Stone, L.L.P. Deposit Account No. 502032 (a duplicate copy of this paper is attached).

Respectfully submitted,

Date:

Robert H. Kelly, Reg. No. 33,922 ATTORNEY FOR APPLICANT

SCHEEF & STONE, L.L.P.

P.O. Box 12608

Dallas, Texas 75225 Tel: (214) 706-4200 Fax: (214) 706-4242

email: robert.kelly@scheefandstone.com



Legal counsel based on solid principles.

CERTIFICA	ATE OF MA	AILING UNDER 37 CFR § 1.8

Date of Mailing: July 14, 2004

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Diane Taylor

Typed or printed name of person malling paper or fee

SIGNATURE of person mailing paper

July 14, 2004

DOCKET NUMBER: PUS1509

(1578.702)

Mail Stop MISSING PARTS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In re:

U.S. Serial No. 10/789,435

Inventors: Shahid Chaudry, Grace Yeung, Ian M. Patterson, David A.

Bajar

Title: METHOD AND SYSTEM FOR WIRELESS CHANNEL

SELECTION BY A MOBILE DEVICE

#### Enclosed please find:

Response to Notice to File Missing Parts of Nonprovisional Application (in duplicate);

Copy of Notice to File Missing Parts of Nonprovisional Application;

Executed Declaration and Power of Attorney;

Recordation Form Cover Sheet (in duplicate);

Assignment;

Change of Correspondence Address; and

Return post card

Respectfully submitted,

By:

Robert H. Kelly, Reg/No. 33,922

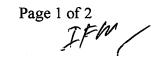
Attorney for Applicant

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#### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS D. Dox 1450 Alexandris, Viignus 22313-1450 www.unplu.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/789,435

02/27/2004

Adrian Buckley

PUS1509 (1578.702)

30973 SCHEEF & STONE, L.L.P. 5956 SHERRY LANE **SUITE 1400 DALLAS, TX 75225** 



**CONFIRMATION NO. 5695 FORMALITIES LETTER** \*OC000000012714277\*

Date Mailed: 05/19/2004

#### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/20/2004 HLE333

00000062 502032

10789435

FILED UNDER 37 CFR 1.53(b)

01°FC:1001 02 FC:1051 770.00 DA 130.00 DA

Filing Date Granted

### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

 Additional claim fees of \$266 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1166 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$266

■ \$86 for 1 independent claims over 3.

■ \$180 for 10 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts

**Commissioner for Patents** 

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE